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Dated: August 15, 2007 Signature: 

(Roger A. Heppermann)

Docket No.: 30203/37573  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Steven B. Rogers et al.

Application No.: 10/024,891

Confirmation No.: 5169

Filed: December 18, 2001

Art Unit: 3627

For: METHOD FOR COMPARING AND  
SELECTING PROCESS CONTROL  
APPARATUS

Examiner: G. J. O'Connor

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement, pursuant to 37 CFR 1.114(c), accompanies the Request for Continued Examination (37 CFR 1.114) submitted herewith.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR

1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

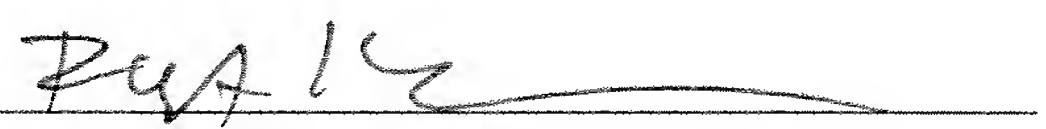
In conjunction with the information cited in this Information Disclosure Statement, Applicants are also aware that companies such as the Foxboro Company, Danfoss, Yokogawa, Krohne, ABB, Endress and Sierra Instruments have provided, in the past, basic information gathering systems via their websites pertaining to process control apparatus. For example, Applicants are aware that Foxboro Company had, in the past, provided a system under the name of Fox Flow (which was apparently, at one time, accessible via the internet site [www.Foxboro.com](http://www.Foxboro.com)) which provided a basic website based information gathering system and was the type of system that the system discussed in this application improves upon. This Fox Flow system was publicly available prior to the earliest priority date for this application. Unfortunately, Applicants' attorney is unable to find any information regarding this service on this website at the current time, and has not been able to find any information regarding this service via an electronic internet search recently performed by Applicants' attorney.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30203/37573.

Dated: August 15, 2007

Respectfully submitted,

By   
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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/024,891-Conf. #5169
				Filing Date	December 18, 2001
				First Named Inventor	Steven B. Rogers
				Art Unit	3627
				Examiner Name	G. J. O'Connor
Sheet	1	of	1	Attorney Docket Number	30203/37573

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-4,972,318	11-20-1990	Brown et al.	
		US-4,992,940	02-12-1991	Dworkin	
		US-5,319,542	06-07-1994	King, Jr. et al.	
		US-5,357,439	10-18-1994	Matsuzaki et al.	
		US-5,710,887	01-20-1998	Chelliah et al.	
		US-5,808,894	09-15-1998	Wiens et al.	
		US-6,012,051	01-04-2000	Sammon, Jr. et al.	
		US-6,070,149	05-30-2000	Tavor et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"Sizing and Selection Software," <i>Flow Control Magazine</i> , 21-27 (July 2001).	
		International Preliminary Examination Report for International Application No. PCT/US02/36862, dated January 28, 2004.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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